Agency policy statements issued by the Port Authority's Asbestos Control Program

The Port Authority of Nev York & Nev Jersey Memorandum

TO: F. Garcia, R. Kelly, L. Liburdi, C. Maikish, D. Plavin
FROM: Richard Peduto
DATE: December 10, 1991
SUBJECT: AGENCY ASBESTOS POLICIES

COPY TO: S. Brezenoff, A. Shorris, J. Vanacore, K. MacKay, B. Weintrob, D. Dugger, J. Green, J. Haupert, R. Monti, M. Pachter, All Facility Managers, Asbestos Advisory Council Members

For some time nov, ve have been carrying on a top flight asbestos control program despite the absence of formalized policies. On occasion, hovever, the absence of formalized policies has hindered staff in the field from ensuring that our policies are understood and complied with.

As a means to further enhance our Asbestos Control Program, I am pleased to attach five Port Authority policies (some are simply updated versions) vhich vere promulgated as a result of discussions among your representatives to the Asbestos Advisory Council and folloving in-depth discussions vith the key units involved. A major accomplishment vas the understanding and agreement reached by Construction, Design and the Asbestos Management Divisions concerning their respective roles in the design and implementation phases of Port Authority asbestos abatement projects.

Ve have a major effort underway to reviev and revise our uniform contract specifications. These specifications vere originally developed in 1988 and are in need of updating to reflect current industry practices as vell as regulatory changes.

If you or any of your staff vish to discuss our agency's Asbestos Control Program or have any questions concerning the attached policies, please let me knov.

Richard Peduto
Director
Asbestos Control Program

Attachments

THE PORT AUTHORITY OF NEW YORK & NEW JERSEY
ASBESTOS CONTROL PROGRAM
AGENCY POLICY STATEMENT

POLICY NO. ACP-01-4/90

REFERENCE POLICY NO. ACP-03-6/91
ACP-05-6/91
ACP-08-7/91
ACP-09-7/91

POLICY: ABATEMENT OF ASBESTOS-CONTAINING MATERIALS AT PORT AUTHORITY FACILITIES

It is the policy of The Port Authority of New York and New Jersey to manage asbestos in place and abate only when required. Since asbestos containing materials are present at Port Authority facilities and if disturbed, may present a potentially hazardous condition, a policy, outlining when asbestos is to be abated, and the associated practices and procedures to be followed, has been developed.

Asbestos abatement is undertaken at Port Authority facilities only when:

- Unsafe or potentially hazardous asbestos conditions require corrective action.
- Authorized and necessary facility or tenant maintenance work, renovations, or an approved Port Authority or tenant capital project must be performed.
- Abatement is required as part of a business arrangement or marketing strategy.

Background:

One of the principal objectives of The Port Authority of New York and New Jersey is to maintain safe facilities for patrons, tenants, employees and others. To ensure the existence of safe facilities as it relates to the control of asbestos disturbances and in-place asbestos management, the following practices and procedures were developed:

Practices

- Properties owned and operated by The Port Authority are surveyed to determine the presence, condition, location and quantity of asbestos containing material. A representative number of bulk samples are collected for material identification, and air samples are collected to document airborne fiber levels.

- When asbestos containing materials are found, they are prioritized into a response category with the appropriate in-place management or abatement control measures followed.

- Facility baseline asbestos surveys are consulted before any material suspected to contain asbestos is disturbed as a result of facility operations and maintenance routines or scheduled renovations. If the existing baseline data is inconclusive as it relates to a specific work site, a site specific survey including destructive testing shall be requested, if necessary, by the Environmental Engineering Unit to support construction contracts or by the facility prior to performing asbestos operations and maintenance work. All surveys and sample collection are performed by the Asbestos Management Division.

- In the absence of survey data, employees working in areas where asbestos containing materials have typically been used must assume that asbestos is present until confirmed otherwise.

- Port Authority practices which incorporate the mandates of federal law, and general conformance with state and local laws and regulations where appropriate are observed in situations where asbestos may be disturbed.

Procedures

A. Training

- No Port Authority employee is authorized to disturb asbestos unless properly trained. Tenant asbestos operations and maintenance, renovation, and demolition projects must be performed by appropriately certified asbestos contractors and/or staff.

- Port Authority staff working in the proximity of, or having asbestos issues involved with their work assignments are required to attend Asbestos Awareness Training.

- A Port Authority employee is authorized to disturb up to 10 square feet or 10 linear feet of asbestos containing material using appropriate work procedures provided he/she has successfully completed a minimum of sixteen (16) hours of specific asbestos operations and maintenance training conducted by the Port Authority or by a certified training agency approved by the Port Authority.

Abatement - Port Authority

A. Design and Field Implementation

- The Design and Field Implementation Policies and Procedures for Port Authority Asbestos Abatement Projects are detailed in ACP Policies ACP-08-7/91 and ACP-09-7/91.

B. Process

- Abatement work where feasible and appropriate is awarded through the competitive bid process to contractors who have been pre-qualified and are on the current select lists.

- In accordance with Policy Number ACP-03-6/91, "Abatement Project Air Monitoring", analysis of all air samples are performed by the Asbestos Management Division's asbestos laboratory, or by a laboratory under contract with the division. An independent third party performs laboratory quality assurance/quality control.

- Call-in asbestos abatement contracts cannot exceed $150,000.00 unless approved by the Environmental Engineering Unit, Engineering Department's Construction Division, the Line Department, and the Asbestos Management Division.

C. Abatement - Tenant Process

- As required in the U.S. EPA-NESHAPS, Asbestos Regulations, Section 61.145(a)(1), the U.S. EPA must be notified prior to the demolition of a building or removal of any load supporting structural member. Prior to such activity, a copy of the notification must be on file at the facility.

- No tenant area may be altered, renovated or demolished without approval from the Port Authority, nor will an asbestos abatement permit be issued without a Port Authority approved Tenant Alteration Application.

- All tenant abatement work is performed in accordance with Port Authority specifications.

- Tenant abatement project procedures and dravings are subject to the approval of the Environmental Engineering Unit and the concurrence of the Asbestos Management Division.

- Tenant abatement work is audited by the Asbestos Management Division and re-occupancy is authorized only after final air clearance is either conducted or revieved by the Asbestos Management Division.

- Tenant environmental consultants and abatement contractors involved with asbestos abatement must be approved by the Port Authority prior to project commencement.

- Tenant abatement baseline, work-in-progress, and final air monitoring and analysis must be performed in accordance with Asbesstos Control Policy ACP-03-6/91, "Abatement Project Air Monitoring".

Funding - Port Authority

- Annual expenditures for asbestos abatement contracts are budgeted within departmental budgets with required staff support services budgeted within the appropriate staff unit.

- Line departments, with the assistance of the Environmental Engineering Unit and the Asbestos Management Division, will utilize facility baseline and re-survey data to identify and propose asbestos resource requirements.

- Proposed departmental asbestos resource requirements are consistent with the Executive Director's Guidance and departmental financial targets.

- Specific proposed asbestos abatement work is revieved by the Asbestos Control Program, Asbestos Management Division and Environmental Engineering Unit staff prior to budget submittal to the Management and Budget Department.

- Funds for unbudgeted and approved asbestos abatement work are provided through offsets of budgeted asbestos projects or other budgeted resources.

Richard Peduto
Director
Asbestos Control Program

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
ASBESTOS CONTROL PROGRAM
AGENCY POLICY STATEMENT

POLICY NO. ACP-02-6/91
REFERENCE POLICY NO. ACP-01-4/90

POLICY: DISCLOSURE POLICY

It is the policy of the Port Authority of New York and New Jersey to disclose within its knowledge the presence of asbestos containing materials in any property to be sold or within a leasehold prior to the consummation of the sale or lease.

Background:

Since the inadvertent disturbance of asbestos containing material may cause the emission of fibers which may become a significant health hazard, interested parties should be advised of the presence of asbetos at Port Authority facilities.

For a variety of reasons enumerated below, when property is to be leased or sold by the Port Authority, tenants and purchasers should be advised when asbestos is present. Those engaged in selling or leasing space should review facility asbestos baseline surveys and other available information to ascertain if asbestos containing material is present within the space to be leased or sold, and to disclose such information. This disclosure should be accomplished prior to the consummation of the transaction with tenants and potential buyers of Port Authority property. This action is prudent for a number of reasons:

- Federal and, where appropriate, state and local regulatory compliance requirements when asbestos is disturbed, either inadvertently or by design.
- The availability of facility baseline asbestos surveys.
- The need to disclose material facts within the knowledge of the Port Authority pertaining to its property transactions.

- The avoidance and control of potential hazards from the inadvertent disturbance of asbestos-containing material. Disturbance without control can lead to unnecessary exposures, site contamination and the possible closure of an area or building.

- Significant economic and time implications associated with asbestos abatement work when discovering asbestos containing materials late in a project.

- Compliance with Port Authority policies and Tenant Alteration Application (TAA) procedures.

If during the course of a lease negotiation or negotiation for the sale of Port Authority property there is a possibility that the Port Authority will assume some or all of the costs of asbestos abatement as a condition of a business deal, then a site specific survey including destructive testing must be performed by the Asbestos Management Division or under its direction, prior to the consummation of the business deal.

Dick

Richard Peduto
Director
Asbestos Control Program

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
ASBESTOS CONTROL PROGRAM
AGENCY POLICY STATEMENT

POLICY NO. ACP-05-6/91

REFERENCE POLICY NO. ACP-01-4/90
ACP-03-6/91
ACP-08-7/91
ACP-09-7/91

POLICY: NOTIFICATIONS, LICENSING AND WORKER QUALIFICATIONS REQUIRED FOR PERFORMING ABATEMENT WORK AT PORT AUTHORITY FACILITIES

The Port Authority of New York and New Jersey requires notification to the U. S. Environmental Protection Agency on all demolition projects and renovation projects when asbestos containing materials in excess of operations and maintenance quantities will be removed. In addition, the Port Authority will comply with any additional federal notification requirements dealing with demolition and renovation projects at all facilities. Demolition and renovation projects involving asbestos containing materials require the use of state licensed abatement contractors, the employment of state licensed asbestos handlers and supervisors, Port Authority specification and design compliance, full-time project monitoring and air monitoring in accordance with ACP-03-6/91, "Abatement Project Air Monitoring". Port Authority specifications, design requirements, and level of engineering controls are dependent upon the type, location and quantity of asbestos being abated, and documented fiber emission results.

If after using specific work practices and engineering controls fiber emission results from certain types of asbestos abatement projects did not exceed 0.01 fibers per cubic centimeter (f/cc), then a variance to site containment and engineering control requirements may be granted.

Background:

During demolition or renovation projects involving asbestos containing materials, visible emissions may be generated with airborne fiber counts exceeding final air clearance levels of 0.01 f/cc. As a result, state licensed asbestos abatement contractors employing certified workers, US EPA notification, Port Authority specification and design requirements, and applicable regulatory compliance will be required.

When dealing with asbestos containing materials such as roofing material, vinyl asbestos floor tiles and roadways, it is assumed that their disturbance may cause them to become friable and possibly emit fibers in excess of 0.01 f/cc. Accordingly, contractor licensing, worker certification, US EPA notification and specification conformity will be enforced. However, if, after several removal projects involving such asbestos containing materials performed in accordance with specific worksite procedures and safe work practices, airborne fiber levels do not exceed 0.01 f/cc, then a variance to Port Authority specifications and design requirements may be granted by the Asbestos Management Division.

Other requests for variations to this policy must be evaluated and approved by the Asbestos Control Program.

Dick

Richard Peduto
Director
Asbestos Control Program

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
ASBESTOS CONTROL PROGRAM
AGENCY POLICY STATEMENT

POLICY NO. ACP-08-7/91

REFERENCE POLICY NO. ACP-01-4/90
ACP-03-6/91
ACP-09-7/91

POLICY: DESIGN OF PORT AUTHORITY ASBESTOS ABATEMENT PROJECTS

The Engineering Department's Environmental Engineering Unit is responsible for requesting site specific survey data and preparing site specific dravings, vork descriptions, and scope of vork. This applies to all asbestos abatement contracts including call-in, quick-bid and fast-track contracts.

Scope of work shall be defined as the vork required for the construction, alteration, renovation, or demolition project. This includes, but is not limited to the existing building components to remain, to be removed, to be disturbed, the specific use of the space in the future, and a project schedule. The scope of work will also include the cost, workforce and time estimates for each phase of the project.

BACKGROUND:

The earlier facility asbestos abatement call-in and bid contracts required that the abatement contractor prepare and submit to the Port Authority for reviev and approval all site specific dravings and procedures relative to the proposed abatement project. This process vas time consuming, costly when staff reviev time was taken into consideration, and often delayed the project because the abatement contractors failed to accurately describe the scope of work and to submit site specific dravings and procedures which addressed the actual worksite.

Based upon the deficiencies associated with this process, it vas decided to revise the vay in vhich the Port Authority initiates, designs, and monitors abatement activities. After discussions vith the line departments, Construction Division, Environmental Design Division, Asbestos Management Division, and the Asbestos Control Program, the folloving procedure vas developed in order to streamline the process and minimize staff preparation and reviev time during the initiation and design of an abatement activity.

PROJECT PROCEDURES:

1. The line department project manager, facility representative, or Engineering Design Division project manager, shall inform the Chief Environmental Engineer of any proposed construction, alteration, renovation, or demolition projects. The line department project manager, facility representative,

Environmental Engineering Unit and Resident Engineer (in the context of this policy and procedures, the Resident Engineer means the Resident Engineer of the Construction Division or the equivalent when construction responsibility is assigned to a line department) will determine the scope of construction, alteration, renovation or demolition. The Chief Environmental Engineer shall determine if sufficient sampling data is available to support the scope of work or if an additional site specific survey including destructive testing is required. If sampling is required, the Chief Environmental Engineer shall contact the Asbestos Management Division requesting that a site specific survey to support anticipated work be performed. The Chief Environmental Engineer shall provide the Asbestos Management Division with all available drawings and details as a reference for the survey.

2. Utilizing existing sampling data or site specific survey results, the Port Authority of NY & NJ Asbestos Certification Form shall be completed by the Environmental Engineering Unit, in consultation with Asbestos Management Division as necessary. If the sample analysis confirms the presence of asbestos, the Chief Environmental Engineer shall contact the Asbestos Litigation Task Force requesting an asbestos project job number. It is the responsibility of the Chief Environmental Engineer to obtain the job number. However, on an exception basis only, when significant circumstances present themselves such as extreme time constraints or other important business reasons, line departments may obtain a job number directly from the Asbestos Litigation Task Force. Under such circumstances, the Asbestos Litigation Task Force shall advise the Chief Environmental Engineer of the assigned job number. Once assigned, the Chief Environmental Engineer will inform the Asbestos Management Division and line department project manager, and will initiate the completion of the Construction Division's Work Order Form. This Work Order Form shall be signed in the field during the on-site evaluation followed by the Asbestos Litigation Task Force being informed to determine if a 50-day waiting period is required. This Work Order Form will be completed during the contractor's walk through following design concurrence between the Environmental Engineering Unit, Asbestos Management Division and the abatement contractor. Whenever possible, information will be provided by the Environmental Engineering Unit to the Asbestos Litigation Task Force in advance of the on-site evaluation.

3. The Chief Environmental Engineer shall contact the line department project manager, Asbestos Management Division, the Resident Engineer, and a representative from the facility operations and maintenance units to schedule an on-site evaluation to determine and plan the site specific project procedures. Presence by these representatives is essential in order to establish the criteria for the project with those

staff members most responsible for the success of the project. The objectives of this on-site evaluation are to:

- o Assess the scope of work and construction alternatives to determine if abatement is necessary.

- o Determine what facility operations may be impacted as a result of the abatement such as: storage locations, roadway usage, escorts and security, and what maintenance services may have to be provided by the facility such as: water, drainage, electricity and pre-cleaning.

- o Determine if regulatory variances are required as a result of site specific limitations, restrictions and operational impacts. The Asbestos Management Division is responsible for approving all Stage III design variances prepared and submitted by the Environmental Engineering Unit. All variance request memorandums prepared by the Environmental Engineering Unit shall have on the copy line the line department project manager, facility manager, resident engineer, the Asbestos Control Program, and those directly associated with the project.

4. The Environmental Engineering Unit is responsible for developing a scope of work and overall project description including dravings and site specific requirements which can be given to the abatement contractor for field implementation for call-in contract work orders, or to be included in contract bid documents. For call-in contract work, the Environmental Engineering Unit will complete the site specific dravings, work descriptions, cost estimates, project duration and workforce estimates for the project folloving the initial on-site meeting to discuss the scope of the project. The scope of work will associate the staffing and cost estimates for each stage of the abatement: mobilization, pre-cleaning, set-up, gross abatement and detailed cleaning, final air clearance, and demobilization. The Environmental Engineering Unit may delegate the asbestos abatement project design vork to a qualified consultant or contractor; hovever, the dravings must be signed by a Professional Engineer licensed in the State in vhich the work is to be performed. Notvithstanding this delegation, the Environmental Engineering Unit shall be responsible for the design.

The Environmental Engineering Unit shall then forvard to the

Asbestos Management Division their project dravings, work descriptions, site specific procedures, project duration and workforce estimates for review. Any comments on the plans will be returned to the Environmental Engineering Unit for incorporation, where appropriate. The Asbestos Management Division's comments will include any specific additional procedures to be performed, and submittals to be provided by the contractor. Once a scope of work and design has been concurred by the Environmental Engineering Unit and the Asbestos Management Division, the Environmental Engineering Unit shall forvard the documents to the asbestos abatement contractor for their reviev and preparation of the required submittals. If a site visit is required for clarification prior to the Resident Engineer's vork order meeting, it shall be arranged by Environmental Engineering Unit who shall also inform the Resident Engineer and the Asbestos Management Division. A final scope of vork will be prepared by the Environmental Engineering Unit reflecting the design comments from the Asbestos Management Division and approval of the contractor's submittals. The approved scope of work will be forvarded by Environmental Engineering Unit to the line department project manager and Resident Engineer. For bid contracts, at the onset of Stage III design, the Environmental Engineering Unit will contact the Asbestos Management Division to coordinate abatement design input.

5. The approved call-in submittal package or final contract is transferred to the Engineering Construction Division or the equivalent line department unit for contract administration and project management.

Requests for variations to this policy must be evaluated and approved by the Asbestos Control Program.

Richard Peduto
Director
Asbestos Control Program

THE PORT AUTHORITY OF NY & NJ
Asbestos Certification Form

This form shall be completed by Environmental Engineering.

Distribution: Asbestos Management Division, Asbestos Litigation Task Force, Facility Resident Engineer, Construction Division, Departmental Representative, Appropriate Engineer of Design

Part One - Certification of Non-Asbestos Project

The area of construction has been surveyed and no asbestos containing material (ACM) is present or will be disturbed during the course of this project. Attached is a copy of the survey and test results and complete one of the following:

Name of Professional Engineer/Architect	Signature of Professional Engineer/Architect	License No.	Date

Name of Certified Building Investigator	Signature of Certified Building Investigator	License No.	Date

Part Two - Certification of an Asbestos Project

The area of the construction has been surveyed, samples have been taken and the survey and test results of the suspect asbestos containing material (ACM) are attached.

Name of Professional Engineer/Architect	Signature of Professional Engineer/Architect	License No.	Date

Name of Certified Building Investigator	Signature of Certified Building Investigator	License No.	Date

Project Information

A. Department Project Manager _____ Tel. #_____

B. Contract Number _____ Cost Recovery # _____

C. Contract Title _____ Date:_____

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
ASBESTOS CONTROL PROGRAM
AGENCY POLICY STATEMENT

POLICY NO. ACP-09-7/91

REFERENCE POLICY NO. ACP-01-4/90
ACP-03-6/91
ACP-08-7/91

POLICY: IMPLEMENTATION OF PORT AUTHORITY ASBESTOS ABATEMENT PROJECTS

The Engineering Construction Division or line department construction divisions where assigned are responsible for the field implementation of asbestos abatement projects, with Asbestos Management Division providing full technical services to the Resident Engineer relating to the asbestos abatement within the context of the design.

If there are changes in the scope of work or workability of the current abatement design, then the Asbestos Management Division's on site monitor shall notify the Resident Engineer as soon as possible. The Resident Engineer shall, where appropriate (estimated costs or duration expected to exceed original estimate by 10-25%), contact the Environmental Engineering Unit and the line department representative for their concurrence concerning such changes prior to authorizing the contractor to proceed. This policy shall apply to all asbestos abatement contracts including call-in, quick-bid, and fast-track contracts.

Scope of work shall be defined as the detailed objective of the construction, alteration, renovation or demolition project. This shall include, but not be limited to the existing building components to remain, to be removed, to be disturbed, the specific use of the space in the future, and a project schedule. The scope of work will also include the cost, workforce and time estimates for each phase of the project. The project schedule will associate the workforce and cost estimates for each stage of the abatement: mobilization, pre-cleaning, set-up, gross abatement, final air clearance, and demobilization.

PROJECT PROCEDURES:

1. For call-in abatement projects, the Resident Engineer shall notify the line department project manager, abatement contractor, Asbestos Management Division, Environmental Engineering Unit and facility operations and maintenance unit supervisors, so that the required contractor's walk-through or pre-construction meeting can be scheduled. For call-in contracts, the Environmental Engineering Unit shall turn over the work order form to the Resident Engineer which shall be

completed at this walk through. Already having an approved submittal, the abatement contractor may be given any additional specific worksite directions from the Resident Engineer's office at this time.

2. For bid contracts, upon contract award, the Resident Engineer shall schedule a pre-construction meeting with the line department project manager, Environmental Engineering Unit, Asbestos Management Division, facility operations and maintenance unit supervisors, and the abatement contractor. At this meeting, site specific work descriptions and submittal requirements will be reviewed. The contractor shall also receive a list of facility constraints and services available, project duration and completion dates, and any specific worksite directions from the Resident Engineer's office. At this meeting the abatement contractor shall have the opportunity to discuss the overall project design and comment on the project procedures, workforce, and duration.

3. For both bid contracts and work orders, the abatement contractor shall forward the submittals for review to the Environmental Engineering Unit with a copy of the transmittal letter to the Resident Engineer within five working days after the pre-construction meeting or as specified in the contract after receipt of the review comments from the Environmental Engineering Unit. The Environmental Engineering Unit shall transmit the abatement contractor's submittals to the Asbestos Management Division for review with a copy of the transmittal letter to the Resident Engineer. The Asbestos Management Division shall submit comments on the contractor's submittals to the Environmental Engineering Unit with a copy to the Resident Engineer. For call-in work orders, the Environmental Engineering Unit shall also evaluate the contractor's cost estimate and project duration. If the estimates differ by more than ten percent, the Environmental Engineering Unit shall notify the contractor and shall schedule a meeting with the contractor, Asbestos Management Division, Resident Engineer, and line department representative in order to resolve the differences.

4. The Asbestos Management Division shall prepare the required U.S. EPA notification letter. Upon the Environmental Engineering Unit's acceptance of and the Asbestos Management Division's concurrence with the contractor's submittal, the Asbestos Management Division will issue the asbestos abatement permit placard. No site work may commence without the issuance of the placard.

5. The Asbestos Management Division shall provide full shift project monitors to inspect the worksite to insure contract and regulatory compliance, perform all required air monitoring in accordance with the Port Authority's Third Party Air Monitoring Policy, monitor the work practices, and evaluate the productivity of the abatement contractor as it compares with the scope of work. The Asbestos Management Division will report to the Resident Engineer any differences in the projected work practices or schedule and the actual abatement.

6. If during the performance of contract work the abatement contractor fails to comply with contract specifications, or if there are changes in the scope of work, which includes; estimated costs, estimated completion date, or problems with the design in terms of field workability, the Asbestos Management Division field monitor shall take appropriate action, document the problem and inform the Resident Engineer as soon as possible. The Resident Engineer shall notify the line department project manager and the Environmental Engineering Unit as appropriate (estimated costs or duration expected to exceed original estimate by 10-25%). If necessary, a revised work order form shall be completed by the Resident Engineer and processed in order to comply with any regulatory requirements and document changes in the scope of work. The same work order number can be used, but it must be indicated on the form "revised." Any significant violation or activity which can result in building contamination, public exposure, environmental releases, or other activities which may jeopardize the safety of individuals, may result in permit revocation and the immediate suspension of work pending corrective action. In these instances, the on-site Asbestos Management Division representative shall have the authority of shutting down the job and then notifying the Resident Engineer. In cases dealing with specification or contract non-compliance, the Resident Engineer shall be notified prior to any action being taken.

7. Once site work is authorized to commence, the Asbestos Management Division field monitor shall prepare all required forms including the Construction Division's time and material forms and labor narratives, Asbestos Management Division's daily asbestos abatement narratives, and all related field monitoring and waste control documents. All time and material forms will be reconciled with the contractor in the field prior to their submittal to the Resident Engineer's office for payment.

8. The Asbestos Management Division shall be responsible for maintaining all required documents associated with each

project in the established project binders in accordance with Asbestos Management Division procedures.

9. All asbestos waste shipping documents shall be returned by the landfill to the Asbestos Management Division. Upon their receipt and assessment for U.S. EPA disposal compliance, the Asbestos Management Division shall forward a copy to the Resident Engineer recommending project closure.

Requests for variations to this policy must be evaluated and approved by the Asbestos Control Program.

Dick

Richard Peduto
Director
Asbestos Control Program

The Port Authority of NY & NJ Memorandum

TO: F. Garcia, R. Kelly, L. Liburdi, C. Maikish, D. Plavin
FROM: Richard Peduto
DATE: July 14, 1992
SUBJECT: REVISIONS TO PORT AUTHORITY ASBESTOS POLICIES

REFERENCE: MEMORANDUM, SAME SUBJECT, DATED 12/10/91

COPY TO: S. Brezenoff, A. Shorris, D. Dugger, E. Pasullo, C. Gannon, J. Green, J. Haupert, M. Pachter, B. Weintrob, All Facility Managers, Asbestos Advisory Council Members

Since my December 10, 1991 memorandum in which I formalized five (5) Port Authority Asbestos Control Office agency policy statements, changes in federal, state, and local rules and regulations have prompted the revision of the following four (4) policies:

ACP-01-4/90, REVISED 6/92 - "ABATEMENT OF ASBESTOS-CONTAINING MATERIALS AT PORT AUTHORITY FACILITIES"

ACP-03-12/91, REVISED 6/92 - "TENANT ABATEMENT PROJECT MONITORING"

ACP-05-6/91, REVISED 6/92 - "NOTIFICATIONS, LICENSING AND WORKER QUALIFICATIONS REQUIRED FOR PERFORMING ABATEMENT WORK AT PORT AUTHORITY FACILITIES"

ACP-06-7/91, REVISED 6/92 - "ASBESTOS OPERATIONS AND MAINTENANCE (O&M) ACTIVITIES"

As further changes in regulation occur, and where advances in technology may affect our asbestos program, additional policies or revisions will be considered by the Asbestos Advisory Council and my office.

I am pleased to say that through the efforts of staff from the Environmental Engineering Design Division, Asbestos Management Division, Standards and Compliance Division, Risk Control Division, the Asbestos Litigation Task Force, and my office, a revised Port Authority abatement specification is in the process of being finalized by the Engineering Department. We are optimistic that the new PA specification will be in use in the fall of this year.

If you or any of your staff wish to discuss our agency's Asbestos Control Program or have questions concerning the attached policies, please let me know.

Dick

Richard Peduto
Director
Asbestos Control Program

Att.:

THE PORT AUTHORITY OF NEW YORK & NEW JERSEY
ASBESTOS CONTROL PROGRAM
AGENCY POLICY STATEMENT

POLICY NO. ACP-01-4/90
REVISED 6/92

REFERENCE POLICY NO. ACP-03-6/91, REVISED 6/92
ACP-05-6/91, REVISED 6/92
ACP-06-7/91, REVISED 6/92
ACP-08-7/91
ACP-09-7/91

POLICY: ABATEMENT OF ASBESTOS-CONTAINING MATERIALS AT PORT AUTHORITY FACILITIES

It is the policy of The Port Authority of New York and New Jersey to manage asbestos in place and abate only when required. Since asbestos containing materials are present at Port Authority facilities and if disturbed, may present a potentially hazardous condition, a policy, outlining when asbestos is to be abated, and the associated practices and procedures to be followed, has been developed.

Asbestos abatement is undertaken at Port Authority facilities only when:

- Unsafe or potentially hazardous asbestos conditions require corrective action.
- Authorized and necessary facility or tenant maintenance work, renovations, or an approved Port Authority or tenant capital project must be performed.
- Abatement is required as part of a business arrangement or marketing strategy.

Background:

One of the principal objectives of The Port Authority of New York and New Jersey is to maintain safe facilities for patrons, tenants, employees and others. To ensure the existence of safe facilities as it relates to the control of asbestos disturbances and in-place asbestos management, the following practices and procedures were developed:

Practices

- Properties owned and operated by The Port Authority are surveyed to determine the presence, condition, location and quantity of asbestos containing material. A representative number of bulk samples are collected for material identification, and air samples are collected to document airborne fiber levels.

- When asbestos containing materials are found, they are prioritized into a response category with the appropriate in-place management or abatement control measures followed.

- Facility baseline asbestos surveys are consulted before any material suspected to contain asbestos is disturbed as a result of facility operations and maintenance routines or scheduled renovations. If the existing baseline data is inconclusive as it relates to a specific work site, a site specific survey including destructive testing shall be requested by the Environmental Engineering Unit to support construction contracts or by the facility prior to performing asbestos operations and maintenance work. All surveys and sample collection are performed by the Asbestos Management Division.

- In the absence of survey data, employees working in areas where asbestos containing materials have typically been used must assume that asbestos is present until confirmed otherwise.

- Port Authority practices which incorporate the mandates of federal law, and general conformance with state and local laws and regulations are observed in situations where asbestos may be disturbed.

Procedures

A. Training

- No Port Authority employee is authorized to disturb asbestos unless properly trained and equipped. Tenant asbestos operations and maintenance, renovation, and demolition projects must be performed by appropriately licensed asbestos abatement contractors or certified

asbestos operations and maintenance staff.

- Port Authority staff having asbestos issues involved with their work assignments are required to attend an Asbestos Avareness Training Seminar.

- A Port Authority employee is authorized to disturb up to 10 square feet or 10 linear feet of asbestos containing material using appropriate work procedures provided he/she has successfully completed a minimum of sixteen (16) hours of specific asbestos operations and maintenance training conducted by the Port Authority or by a certified training agency approved by the Port Authority.

Abatement - Port Authority

A. Design and Field Implementation

- The Design and Field Implementation Policies and Procedures for Port Authority Asbestos Abatement Projects are detailed in ACP Policies ACP-08-7/91 and ACP-09-7/91.

- Notification to the U.S. EPA shall be made by the Asbestos Management Division in accordance with ACP-05-6/91, Revised 6/92.

B. Process

- Abatement work where feasible and appropriate is awarded through the competitive bid process to contractors who have been pre-qualified and are on the current select lists.

- In accordance with Policy Number ACP-03-6/91, Revised 6/92 "Abatement Project Air Monitoring", analysis of all air samples are performed by the Asbestos Management Division's asbestos laboratory, or by a laboratory under contract with the division. An independent third party performs laboratory quality assurance/quality control.

- Call-in asbestos abatement contracts cannot exceed $150,000.00 unless approved by the Environmental Engineering Unit, Engineering Department's

Construction Division, the Line Department, and the Asbestos Management Division.

C. Abatement - Tenant Process

- As required in the U.S. EPA-NESHAPS, Asbestos Regulations, Section 61.145(a)(1), the U.S. EPA shall be notified ten (10) working days prior to the start of abatement, or prior to the demolition of a building or removal of any load supporting structural member. Prior to such activity, a copy of the notification must be on file at the facility.

- No tenant area may be altered, renovated or demolished without approval from the Port Authority, nor will an Asbestos Abatement Permit be issued without a Port Authority approved Tenant Alteration Application.

- All tenant abatement work is performed in accordance with Port Authority specifications.

- Tenant abatement project procedures and drawings are subject to the approval of the Environmental Engineering Unit and the concurrence of the Asbestos Management Division.

- Tenant abatement work is audited by the Asbestos Management Division and re-occupancy is authorized only after final air clearance is either conducted or revieved and approved by the Asbestos Management Division.

- Tenant environmental consultants and abatement contractors involved with asbestos abatement must be approved by the Port Authority prior to project commencement.

- The selection and responsibilities of the tenant's abatement contractor, consultant, and analytical laboratory, shall conform with the Asbestos Control Program Policy ACP-03-6/91, Revised 6/92.

Funding - Port Authority

- o Annual expenditures for asbestos abatement contracts are budgeted within departmental budgets with required staff support services budgeted within the appropriate staff unit.

- o Line departments, with the assistance of the Environmental Engineering Unit and the Asbestos Management Division, will utilize facility baseline and re-survey data to identify and propose asbestos resource requirements.

- o Proposed departmental asbestos resource requirements are consistent with the Executive Director's Guidance and departmental financial targets.

- o Specific proposed asbestos abatement work is revieved by the Asbestos Control Program, Asbestos Management Division and Environmental Engineering Unit staff prior to budget submittal to the Management and Budget Department.

- o Funds for unbudgeted and approved asbestos abatement work are provided through offsets of budgeted asbestos projects or other budgeted resources within the Department.

Richard Peduto
Director
Asbestos Control Program

7/9/92

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
ASBESTOS CONTROL PROGRAM
AGENCY POLICY STATEMENT

POLICY NO. ACP-03-12/91, REVISED 6/92

REFERENCE POLICY NO. ACP-01-4/90, REVISED 6/92
ACP-05-6/91, REVISED 6/92

POLICY: TENANT ABATEMENT PROJECT MONITORING

It is the policy of the Port Authority of New York and New Jersey to require tenants to engage contractors, consultants and laboratories which are approved by the Port Authority and meet the regulatory requirements of the State in which the project is performed. Further, it is also the Port Authority's policy to require that, at a minimum, laboratory analysis be performed by an organization independent of any other organization performing work on the abatement project.

BACKGROUND:

As a result of evolving federal, state and local regulations dealing with abatement project design, monitoring, and laboratory analysis, the Port Authority adopts or changes its policy to be in strict compliance with the federal regulations and in general conformance with state regulations.

Based upon recent developments, we concluded that the Port Authority should explicitly segregate roles which may be performed by environmental consultants engaged by tenants for abatement projects. The following chart presents three options which a tenant may choose in retaining environmental consultants. The terms primary and secondary consultants are used to differentiate one consultant from another:

	PROJECT FUNCTION				
OPTION	INVESTIGATION & SAMPLING	PROJECT DESIGN	PROJECT INSPECTIONS	PROJECT AIR MONITORING	LABORATORY ANALYSIS
(1)	PRIMARY CONSULTANT	PRIMARY CONSULTANT	PRIMARY CONSULTANT	PRIMARY CONSULTANT	SECONDARY CONSULTANT
(2)	PRIMARY CONSULTANT	PRIMARY CONSULTANT	PRIMARY CONSULTANT	SECONDARY CONSULTANT	SECONDARY CONSULTANT
(3)	PRIMARY CONSULTANT	PRIMARY CONSULTANT	SECONDARY CONSULTANT	SECONDARY CONSULTANT	SECONDARY CONSULTANT

In this context, the "Primary Consultant" shall mean a Port Authority approved asbestos consultant who is responsible for the appropriate enforcement of the Hazard Abatement Sub-Code (NJAC 5:23-8) in New Jersey, and Part 56, Title 12 Part 5.02, in New York. The "Secondary Consultant" shall mean a Port Authority approved asbestos consultant who is responsible for laboratory analysis, and may be responsible for the project and/or air monitoring in accordance with the Hazard Abatement Sub-Code, or Part 56, Title 12 Part 5.02.

The required Tenant Alteration Application submitted to the Port Authority prior to any project related activities must specify which consultant option will be used during the project. If the roles of the consultants change during any phase of the project, the tenant shall notify the Port Authority and await approval of the revised consultant assignment.

Both the tenant's primary and secondary environmental consultant firms, and consultant firm employees shall possess the required federal and state licenses and certifications to participate in the assigned project function as outlined below:

ABATEMENT PROJECTS WITHIN NEW YORK STATE

PRIMARY AND SECONDARY ENVIRONMENTAL CONSULTANTS -

FUNCTION		CERTIFICATION
INVESTIGATION AND SAMPLING	-	NYS DOL CERTIFIED INSPECTOR
MANAGEMENT PLANNER	-	NYS DOL CERTIFIED MANAGEMENT PLANNER
PROJECT DESIGNER	-	NYS DOL CERTIFIED PROJECT DESIGNER
PROJECT INSPECTIONS	-	NYS DOL CERTIFIED PROJECT MONITOR
PROJECT AIR MONITORING	-	NYS DOL CERTIFIED AIR SAMPLING TECHNICIAN

ASBESTOS ABATEMENT CONTRACTOR -

ENTITY/WORKER		LICENSE/CERTIFICATION
CONTRACTOR	-	NYS DOL ASBESTOS HANDLING LICENSE
ABATEMENT WORKER	-	NYS DOL CERTIFIED ASBESTOS HANDLER
ALLIED TRADES	-	NYS DOL CERTIFIED RESTRICTED HANDLER
OSHA AIR SAMPLER	-	NYS DOL CERTIFIED AIR SAMPLING TECHNICIAN

ANALYTICAL LABORATORY -

CERTIFICATION/ACCREDITATION	-	NYS ENVIRONMENTAL LABORATORY ACCREDITATION PROGRAM (ELAP)
	-	AMERICAN INDUSTRIAL HYGIENE ASSOCIATION-PROFICIENCY ANALYTICAL TESTING (AIHA-PAT)

ABATEMENT PROJECTS WITHIN NEW JERSEY

PRIMARY AND SECONDARY ENVIRONMENTAL CONSULTANTS -

FUNCTION		ACCREDITATION/CERTIFICATION
INVESTIGATION AND SAMPLING	-	U.S. EPA-AHERA ACCREDITED INSPECTOR
MANAGEMENT PLANNER	-	U.S. EPA-AHERA ACCREDITED PLANNER
PROJECT DESIGNER	-	U.S. EPA-AHERA ACCREDITED DESIGNER
PROJECT INSPECTIONS	-	N.J. ASBESTOS SAFETY TECHNICIAN
PROJECT AIR MONITORING	-	N.J. ASBESTOS SAFETY TECHNICIAN

ASBESTOS ABATEMENT CONTRACTOR -

ENTITY/WORKER		LICENSE/CERTIFICATION
CONTRACTOR	-	N.J. DOL LICENSED REMOVAL CONTRACTOR
ABATEMENT WORKER	-	N.J. DOH CERTIFIED WORKERS
OSHA AIR SAMPLER	-	U.S. DOL AIR SAMPLING TECHNICIAN OR OSHA COMPETENT PERSON

ANALYTICAL LABORATORY -

CERTIFICATION	-	NATIONAL VOLUNTARY LABORATORY ACCREDITATION PROGRAM (NVLAP) CERTIFICATION
	-	AMERICAN INDUSTRIAL HYGIENE ASSOCIATION-PROFICIENCY ANALYTICAL TESTING (AIHA-PAT)

The following table based on analytical technique should be used as a reference for required accreditation:

ANALYTICAL TECHNIQUE	NEW YORK	NEW JERSEY
PHASE CONTRAST MICROSCOPY	PAT, ELAP	PAT
TRANSMISSION ELECTRON MICROSCOPY	ELAP, NVLAP	NVLAP
POLARIZED LIGHT MICROSCOPY	ELAP, NVLAP	NVLAP

Prior to the collection of the final air sample, the tenant's primary consultant shall notify the Port Authority's Asbestos Management Division at least twenty-four (24) hours in advance of all required inspections.

Prior to re-occupancy of a tenant area, the Port Authority's Asbestos Management Division must review and approve the laboratory data confirming successful post abatement clearance.

Requests for variations to this policy must be reviewed and approved by the Asbestos Control Program.

Richard P. Peduto
Director
Asbestos Control Program

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
ASBESTOS CONTROL PROGRAM
AGENCY POLICY STATEMENT

POLICY NO. ACP-05-6/91
REVISED 6/92

REFERENCE POLICY NO. ACP-01-4/90, Revised 6/92
ACP-03-6/91, Revised 6/92
ACP-08-7/91
ACP-09-7/91

POLICY: NOTIFICATIONS, LICENSING AND WORKER QUALIFICATIONS REQUIRED FOR PERFORMING ABATEMENT WORK AT PORT AUTHORITY FACILITIES

The Port Authority of New York and New Jersey requires notification to the U. S. Environmental Protection Agency on all demolition and renovation projects when asbestos containing materials as defined by the U.S. Environmental Protection Agency, will be removed in excess of operations and maintenance quantities. In addition, the Federal EPA must also be notified on projects in which no asbestos containing material is present, when the project involves demolition or the removal of a load supporting structural member. Demolition and renovation projects involving asbestos containing materials require the use of state licensed abatement contractors, the employment of state licensed asbestos handlers, supervisors and other appropriate certified individuals, Port Authority specification and design compliance, full-time project monitoring and air monitoring in accordance with ACP-03-6/91, Revised 6/92, "Abatement Project Air Monitoring".

Background:

During demolition or renovation projects involving asbestos containing materials, visible emissions may be generated with airborne fiber counts exceeding final air clearance levels of 0.01 f/cc. As a result, state licensed asbestos abatement contractors employing certified workers, US EPA notification, Port Authority specification and design requirements, and applicable regulatory compliance will be required.

When dealing with certain products containing asbestos, such as roofing material, vinyl asbestos floor tiles and roadways, it is assumed that their disturbance may cause them to become friable and possibly emit fibers in excess of 0.01 f/cc. Accordingly, contractor licensing, worker certification, US EPA notification and specification conformity will be enforced. However, if after several removal projects involving such asbestos containing materials performed in accordance with specific worksite procedures and safe work practices, and documented environmental airborne fiber levels not exceeding 0.01 f/cc, then a variance to Port Authority specifications and design requirements may be granted by the Asbestos Management Division in consultation with this office.

Other requests for variations to this policy must be evaluated and approved by the Asbestos Control Program.

Richard Peduto
Director
Asbestos Control Program

7/9/92

THE PORT AUTHORITY OF NEW YORK & NEW JERSEY
ASBESTOS CONTROL PROGRAM
AGENCY POLICY STATEMENT

POLICY NO. ACP-06-7/91
REVISED 6/92

REFERENCE POLICY NO. ACP-01-4/90, REVISED 6/92
ACP-05-6/91, REVISED 6/92

POLICY: ASBESTOS OPERATIONS AND MAINTENANCE (O&M) ACTIVITIES CONDUCTED BY TRAINED PORT AUTHORITY ASBESTOS O&M PERSONNEL IS LIMITED TO TEN (10) SQUARE FEET OR TEN (10) LINEAR FEET OF ASBESTOS CONTAINING MATERIAL

BACKGROUND:

In the initial phases of the development of our asbestos control program, we announced in an October 3, 1989 memorandum, subject: "Employees Authorized to Disturb Asbestos" that the mere presence of asbestos in an area does not preclude any employee from entering that area to perform his/her work assignments. Although not specifically stated, facility management was not prohibited from directing staff from moving furniture and equipment from an area prior to the initiation of an abatement project, provided there was no visible debris. Further, it also stated that an employee must have successfully completed an approved asbestos operations and maintenance training program in order to disturb even minor amounts of asbestos while performing routine or emergency assignments, or come in contact with asbestos fallout.

It was also recognized that facilities needed some capability to deal with minor amounts of asbestos-containing material so as not to adversely affect facility operations.

As a result, a Port Authority policy was established that all individual asbestos operations and maintenance activities be limited to quantities not to exceed ten square feet of surfacing material or ten linear feet of thermal system pipe insulation or other linear measurement materials. Such activities shall only be performed by facility maintenance staff members who have successfully completed a minimum of sixteen (16) hours of specific asbestos O&M training conducted by a certified training agency according to Asbestos Control Program Policy ACP-01-4/90, Revised 6/92. In addition, asbestos O&M personnel must be enrolled in a respiratory protection program and participate in necessary refresher training.

Facility asbestos O&M staff may initiate response actions in emergency situations and shall immediately notify the Asbestos Management Division of the emergency event and extent of material damage. Unless under the direction of the Asbestos Management Division, facility asbestos operations and maintenance staff are generally limited to respond to emergency conditions caused by a disturbance of asbestos containing materials from areas not exceeding ten linear feet or ten square feet.

Other requests for variations to this policy must be evaluated and approved by the Asbestos Control Program.

Richard Peduto
Director
Asbestos Control Program

7/9/92